UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

QUIANA MATHEWS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	**Case No. 7:22-cv-01090-RDP-NAD**
	)	
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

MEMORANDUM OPINION AND ORDER

Plaintiff Quiana Mathews filed this action, *pro se,* pursuant to the Federal Tort Claims Act ("FTCA"). (Doc. 1). The Magistrate Judge entered a Report and Recommendation on June 10, 2024, recommending that the court deny the United States' motion to dismiss or, in the alternative, for summary judgment (Doc. 39); dismiss Mathews' claims for intentional infliction of emotional distress, failure to protect, negligent infliction of emotional distress, and negligent assault and battery pursuant to 28 U.S.C. § 1915A; and refer Mathews' remaining claims, for negligence, assault and battery, and negligent supervision, to the Magistrate Judge for further proceedings. Doc. 44. Although the parties were advised of their rights to file objections to the report and recommendation within 14 days (*id*., at 20-21), that time expired and the court has not received any objections.

Having reviewed and considered *de novo* all the materials in the court file, including the Report and Recommendation, the court **ADOPTS** the Magistrate Judge's report, and **ACCEPTS** the recommendation. Consistent with that recommendation, the court **DENIES** the United States' motion to dismiss or, in the alternative, for summary judgment (Doc. 39); **DISMISSES WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915A Mathews' claims for intentional

infliction of emotional distress, failure to protect, negligent infliction of emotional distress, and negligent assault and battery, for failing to state a claim upon which relief can be granted; and **REFERS** Mathews' remaining FTCA claims, for negligence, assault and battery, and negligent supervision, to the magistrate judge for further proceedings.

     DONE and **ORDERED** this July 10, 2024.

                                        R. DAVID PROCTOR
                                        CHIEF U.S. DISTRICT JUDGE